THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.12343 OF 2007

DATED: 14-06-2007

Between :

J. Radha … Petitioner

And

The Joint Collector, Chittoor and
Another. .. Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.12343 OF 2007

ORDER :

The petitioner who was appointed as dealer of the fair price shop No.45 (U) of Madanapalle Town on temporary basis by order dated 12-4-2002 filed this writ petition questioning the notification issued by the 2nd respondent dated 17-5-2007 inviting applications for making appointment of dealer on permanent basis.

Admittedly the petitioner was appointed only on temporary basis in the vacancy caused due to resignation of the permanent dealer by name Smt. J. Shantha Rani. The mere fact that she was continued from 2002 onwards on temporary basis does not entitle her to claim any preferential right for appointment as permanent dealer. Under the provisions of the A.P. State Public Distribution Control Order, 2001 (for short, 'the Control Order, 2001'), every vacancy of dealer should be notified and the appointment shall be by selection among the candidates who have satisfied the prescribed eligibility criteria.

Hence, the procedure followed by the respondents in notifying the vacancy in accordance with the law cannot be held to be erroneous and the interference by this Court is not warranted.

Accordingly, the Writ Petition is dismissed. However, this shall not preclude the petitioner to submit her application and participate in the selection process pursuant to the impugned notification in which event the respondents shall consider the same in accordance with law. No costs.

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G. ROHINI, J.

Dt. 14-06-2007
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